



RECEIVED

FEB 11 2022

DAVIS
COUNTY CLERK

910 S Mountain Road
Fruit Heights, UT 84037
P: 801.546.0861
www.fruitheightscity.com

January 4, 2022

Fruit Heights City Council
910 S Mountain Road
Fruit Heights, UT 84037

Board of Davis County Commissioners
PO Box 618
Farmington, UT 84025

RE: Notice of Certification – Samuel G. Raymond Inc. Annexation Petition

Commissioners and Council Members,

I am in receipt of the "Samuel G. Raymond Inc. Annexation" Petition ("Petition") and attachments filed on October 12, 2021. The Fruit Heights City Council discussed the Petition at their regular meeting on January 4, 2022. Under UCA §10-2-405, the Petition was deemed accepted for further consideration on January 4, 2022.

As the City Recorder, I am statutorily tasked with evaluating the Petition and its attachments to determine if the requirements outlined in UCA §10-2-403(3) and (4) have been met. For reference, those statutes are as follows:

- ***UCA §10-2-403(3)***

- 3) *Each petition under Subsection (1) shall:*

- a) *be filed with the applicable city recorder or town clerk of the proposed annexing municipality;*
 - b) *contain the signatures of, if all the real property within the area proposed for annexation is owned by a public entity other than the federal government, the owners of all the publicly owned real property, or the owners of private real property that:*

- (i) *is located within the area proposed for annexation;*

- (ii)

- (A) *subject to Subsection (3)(b)(ii)(C), covers a majority of the private land area within the area proposed for annexation;*

- (B) *covers 100% of rural real property within the area proposed for annexation; and*

- (C) *covers 100% of the private land area within the area proposed for annexation, if the area is within an agriculture protection area created under Title 17, Chapter 41, Agriculture, Industrial, or Critical Infrastructure Materials Protection Areas, or a migratory bird production area created under Title 23, Chapter 28, Migratory Bird Production Area; and*

- (iii) *is equal in value to at least 1/3 of the value of all private real property within the area proposed for annexation;*

- c) *be accompanied by:*
 - (i) *an accurate and recordable map, prepared by a licensed surveyor in accordance with Section 17-23-20, of the area proposed for annexation; and*
 - (ii) *a copy of the notice sent to affected entities as required under Subsection (2)(a)(i)(B) and a list of the affected entities to which notice was sent;*
- d) *contain on each signature page a notice in bold and conspicuous terms that states substantially the following:*

"Notice:
There will be no public election on the annexation proposed by this petition because Utah law does not provide for an annexation to be approved by voters at a public election.
If you sign this petition and later decide that you do not support the petition, you may withdraw your signature by submitting a signed, written withdrawal with the recorder or clerk of (state the name of the proposed annexing municipality). If you choose to withdraw your signature, you shall do so no later than 30 days after (state the name of the proposed annexing municipality) receives notice that the petition has been certified.";
- e) *if the petition proposes a cross-county annexation, as defined in Section 10-2-402.5, be accompanied by a copy of the resolution described in Subsection 10-2-402.5(4)(a)(iii)(A); and*
- f) *designate up to five of the signers of the petition as sponsors, one of whom shall be designated as the contact sponsor and indicate the mailing address of each sponsor.*

- **UCA §10-2-403(4)**

- 4) *A petition under Subsection (1) may not propose the annexation of all or part of an area proposed for annexation to a municipality in a previously filed petition that has not been denied, rejected, or granted.*

After consulting with counsel, **I have determined that the "Samuel G. Raymond Inc. Annexation" Petition submitted to my office on January 4, 2022, meets the relevant requirements and as such, I am certifying the Petition.**

In accordance with UCA § 10-2-405(2)(c)(i), this letter serves as written notification of the certification of the Petition. Notice of the certification has also been given to the main sponsor of the Petition. After receipt of this letter by the Fruit Heights City Council, the process of providing notice of the certification will begin in accordance with UCA § 10-2-406.

Please call me if you have any questions.

Sincerely,



R. Brandon Green

City Manager/City Recorder

Fruit Heights City

T: 801.546.0861

bgreen@fruitheightscity.com

RECEIVED
FEB 11 2022
DAVIS
COUNTY CLERK

Certificate of Mailing

I HEREBY CERTIFY that on the 1st day February 2022, the attached foregoing letter dated January 4, 2022, *RE: Notice of Certification – Samuel G. Raymond Inc. Annexation Petition*, was sent via US Mail to the following recipients:

**Fruit Heights City Council
910 S Mountain Road
Fruit Heights, UT 84037**

**Davis County Clerk/Auditor
Attn: Curtis Koch
PO Box 618
Farmington, UT 84025**

Cc: Samuel G. Raymond Inc.
135 S Mountain Road
Fruit Heights, UT 84037



**R. Brandon Green
Fruit Heights City Manager/City Recorder**

RECEIVED
FEB 11 2022
DAVIS
COUNTY CLERK



RECEIVED
FEB 11 2022
DAVIS
COUNTY CLERK

**FRUIT HEIGHTS CITY
NOTICE OF ANNEXATION PETITION**

**THIS IS NOTICE THAT AN ANNEXATION PETITION HAS BEEN FILED WITH
FRUIT EIGHTS CITY.
YOU ARE RECEIVING THIS NOTICE AS THE RECORDED OWNER OF ONE OR MORE PARCEL(S) IN OR
WITHIN A ½ MILE RADIUS OF THE AREA PROPOSED FOR ANNEXATION.**

The Fruit Heights City Council received notice of certification of the **"Samuel G Raymond Inc. Annexation" Petition** ("Petition") on October 12, 2021 and may grant the Petition and annex the area described in the Petition unless, in accordance with [UCA § 10-2-407\(2\)\(a\)\(i\)](#), a written protest is filed with the Davis County Commission and a copy of the protest delivered to the Fruit Heights City Recorder. **SEE BELOW FOR INFORMATION ON FILING A PROTEST.**

THE AREA PROPOSED FOR ANNEXATION IN THE PETITION IS ATTACHED HERETO AND INCLUDED WITH THIS NOTICE.

The area proposed for annexation into Fruit Heights City will also automatically be annexed into the Kaysville City Fire Department and Davis County Sherriff's Office to provide fire protection, paramedic, emergency services, and law enforcement services.

PROTESTS

**PROTESTS SHALL BE FILED IN ACCORDANCE WITH THE REQUIREMENTS IN
[UCA § 10-2-407.](#)**

In accordance with [UCA § 10-2-407\(1\)](#), a protest to the Petition may be filed by:

- a. The legislative body or governing board of an affected entity; or
- b. An owner of rural real property (as defined in [UCA § 17B-2a-1107](#) as an area zoned primarily for manufacturing, commercial, or agricultural purposes and that does not include residential units with a density greater than one unit per acre.)

**DEADLINE TO FILE A PROTEST:
MARCH 1, 2022**

PROTESTS MUST BE FILED WITH THE DAVIS COUNTY CLERK at:

Physical Location:
Davis County Admin Building
61 South Main Street
Farmington, UT 84025

Mailing Address:
Davis County Clerk/Auditor
P.O. Box 618
Farmington, UT 84025

A copy of the protest shall on the same date the protest is filed with the Davis County Clerk be delivered or mailed to the Fruit Heights City Recorder at:

Fruit Heights City Hall
910 S. Mountain Road
Fruit Heights, UT 84037

**The complete Samuel G. Raymond Inc. Annexation Petition is available for inspection and copying at
the office of the Fruit Heights City Recorder,
online at www.fruitheightscity.com/402/Subdivision-Development**

A handwritten signature in blue ink that reads "R. Brandon Green".
R. BRANDON GREEN, Fruit Heights City Recorder
Mailed & Posted this 1st day of February 2022

DAVIS
COUNTY CLERK

CONTAINING 549875 SQUARE FEET OR 12.623 ACRES



RECEIVED

FEB 11 2022

DAVIS
COUNTY CLERK

